

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA      )  
    )      Criminal Case No 21-CR-41-05-JL  
V.                                    )  
    )  
NOBODY                            )

COUNSEL FOR THE DEFENDANT'S MOTION TO WITHDRAW

Pursuant to L.R. 44.3, counsel for the defendant, Nobody, hereby moves this Honorable Court to withdraw his appearance and appoint new CJA counsel for the defendant because of an irretrievable breakdown of the attorney client relationship.

In support of this motion counsel states:

- 1) Counsel was appointed to represent the defendant on March 16, 2021, pursuant to the Criminal Justice Act.
- 2) On April 5, 2021, counsel was provided an audio-recording of a jail phone call that the government will offer at the detention hearing.
- 3) Counsel filed a motion to clarify the status of counsel on April 5, 2021. A hearing is scheduled for April 7, 2021, at 9 a.m.
- 4) On April 6, 2021, counsel called Nobody and spoke with him about the motion to clarify status of counsel. Counsel read the affidavit, filed under seal, in support of the motion. Counsel mistakenly thought Nobody made statements about the co-defendant, Ian Freeman. Counsel learned that those statements were made about counsel. Counsel immediately told Nobody he could no longer represent him and he would move to withdraw.
- 5) The attorney client relationship is based on trust, honesty, and candor. If the client does not trust the attorney, and the attorney does not trust the client, there is no relationship.
- 6) Due to the change in tenor of the attorney client relationship, the best interests of the defendant would be served by allowing counsel to withdraw and appointing new CJA counsel.
- 7) Further details in support of this motion are set forth in an "Affidavit of Counsel" that is filed under seal. Counsel would ask the Court to review the affidavit ex parte, because portions of the affidavit contain privileged conversations.
- 8) No prejudice will occasion to either party if undersigned counsel is permitted to withdraw. The matter is a complex case and was just arraigned on March 16, 2021.

Wherefore, undersigned counsel respectfully requests this Honorable Court allow him to withdraw.

Respectfully submitted,  
/s/ John V. Apruzzese # 268149

---

81 Washington Street, Suite 206  
Salem, MA 01970  
MA #560999  
Phone (978)-745-4232  
[jvapruzzeseesq@aol.com](mailto:jvapruzzeseesq@aol.com)

L.R. 7.1(a) MEMORANDUM STATEMENT

A memorandum is not necessary for the proper disposition of this motion.

L.R. 7.1(c) STATEMENT OF CONCURRENCE

Given the nature of this motion, the position of the government has not been sought. The defendant assents to this motion.

Certificate of Service

I hereby certify that I served a copy of Counsel's Motion to Withdraw pursuant to the CM/ECF system which was sent electronically to the registered participants on this day, April 6, 2021.

/s/ John V. Apruzzese # 268149

---